IN THE CLAIMS:

Amend the claims as follows:

1. (Currently amended) A method of operating a file server, comprising the steps of:

receiving a network request at said file server, wherein the network request is part of a network session;

recording a state at said file server at the time of said receiving the request, said state including information regarding a persistent connection between said server and a client device;

restoring said state of said file server upon reboot; and

attempting to continue the network session between said client device and said file server ~~that the request was part of~~, wherein said step of recording state further comprises the step of determining whether recovery will be accomplished by rebooting the server or takeover by another server, wherein said steps of recording and restoring are transparent to said client device.

2. (Previously presented) The method of claim 1, wherein said step of receiving a network transmission request also includes the steps of

acknowledging receipt of said network request; and

processing said network request.

3. (Previously presented) The method of claim 1, wherein said step of recording state includes determining automatically whether the processing of a network request is at a point where said state can be reliably recorded.

4. (Previously presented) The method of claim 3, wherein said step of recording state occurs at points based on the progress of processing of a network request.

5. (original) The method of claim 4, wherein said state is recorded to a non-volatile storage.

6. (Previously presented) The method of claim 1, wherein said step of recording state at said file server occurs as part of an elective reboot or elective takeover of a server further comprising:

ignoring current network requests;

processing all active network requests; and

recording state.

7. (original) The method of claim 6, wherein all currently active requests are processed to completion.

8. (original) The method of claim 1, wherein said step of recording state further comprises the step of determining whether said server shutdown was elective or non-elective.

9. (original) The method of claim 8, wherein said step of determining whether said server shutdown is elective or non-elective is a function of a flag value stored in said non-volatile storage.

10. (original) The method of claim 9, wherein said flag value indicates said server shutdown was elective.

11. (original) The method of claim 9, wherein said flag value indicates said server shutdown was non-elective.

12. (Canceled).

13. (Previously presented) The method of claim 1, wherein said step of determining whether recovery will be accomplished by rebooting the server or takeover by another server is a function of said flag value stored in said non-volatile storage.

14. (Previously presented) The method of claim 13, wherein said flag value indicates said recovery will be accomplished by rebooting the server.

15. (original) The method of claim 13, wherein said flag value indicates said recovery will be accomplished by takeover by another server.

16. (original) The method of claim 1, wherein said step of restoring state further comprises determining whether recovery is by reboot or takeover by another server.

17. (original) The method of claim 16, wherein said step of determining whether recovery is accomplished by reboot or takeover by another server is a function of said flag value stored in said non-volatile storage.

18. (Previously presented) The method of claim 17, wherein said reboot comprises the steps of:
rebooting the server's operating system; and
rebuilding in-memory data structures to the state prior to said reboot.

19. (original) The method of claim 18, wherein said rebuilding in-memory data structures further comprises fetching the state stored in said non-volatile storage to rebuild said in-memory data structures.

20. (original) The method of claim 17, wherein said takeover comprises fetching the state stored in the non-volatile storage and rebuilding said in-memory data structures in another server using said state.

21. (Currently amended) The method of claim 1, wherein said step of attempting to continue the ~~CIFS~~ network session ~~that the request was part of~~ further comprises the step of processing the remaining portion of the uncompleted request.

22. (Currently amended) An apparatus including:

means for receiving a CIFS request at a file server, wherein the CIFS request is part of a CIFS session; and

means for recording a state at said file server at the time of said receiving the request; said state including information regarding a persistent connection between said server and a client device; and

on reboot, restoring said file server to said state as recorded; and

means for attempting to continue the CIFS session between said client device and said file server ~~that the request was part of~~, wherein said step of recording state further comprises the step of determining whether recovery will be accomplished by rebooting the server or takeover by another server.

23. (original) The apparatus of claim 22, wherein said means for receiving a CIFS request includes a means for acknowledging receipt of said CIFS request and a means for processing the request.

24. (original) The apparatus of claim 22, wherein said means for recording state includes a means to determine automatically whether the processing of a CIFS request is at a point where said state can be reliably recorded.

25. (original) The apparatus of claim 24, wherein said means for recording state occurs at points based on the progress of processing of a CIFS request.

26. (original) The apparatus of claim 25, wherein said state is recorded to a non-volatile storage.

27. (original) The apparatus of claim 22, wherein said means for recording said state at said file server occurs as part of an elective reboot or elective takeover of a server further comprising:

means for ignoring current CIFS requests;

means for processing all active CIFS requests; and

means for recording state.

28. (original) The apparatus of claim 27, wherein all currently active requests are processed to completion.

29. (original) The apparatus of claim 22, wherein said means for recording state further comprises a means for determining whether said server shutdown was elective or non-elective.

30. (original) The apparatus of claim 27, wherein said means for determining whether said server shutdown was elective or non-elective is a function of a flag value stored in said non-volatile storage.

31. (original) The apparatus of claim 30, wherein said flag value indicates said server shutdown was elective.

32. (original) The apparatus of claim 30, wherein said flag value indicates said server shutdown was non-elective.

33. (Canceled).

34. (Previously presented) The apparatus of claim 22, wherein said means for determining whether recovery will be accomplished by rebooting the server or takeover by another server is a function of said flag value stored in said non-volatile storage.

35. (Previously presented) The apparatus of claim 34, wherein said flag value indicates said recovery will be accomplished by rebooting the server.

36. (original) The apparatus of claim 34, wherein said flag value indicates said recovery will be accomplished by takeover by another server.

37. (original) The apparatus of claim 22, wherein said means for restoring state further comprises means for determining whether recovery is by reboot or takeover by another server.

38. (original) The apparatus of claim 37, wherein said means for determining whether recovery is by reboot or takeover by another server is a function of said flag value stored in said non-volatile storage.

39. (Previously presented) The apparatus of claim 38, wherein said reboot further comprises:

means for rebooting the server's operating system; and

means for rebuilding in-memory data structures to the state prior to said reboot.

40. (original) The apparatus of claim 39, wherein said means for rebuilding in-memory data structures further comprises fetching the state stored in said non-volatile storage to rebuild said in-memory data structures.

41. (original) The apparatus of claim 38, wherein said takeover comprises means for fetching the state stored in said non-volatile storage and rebuilding said in-memory data structures in another server using said state.

42. (Currently amended) The apparatus of claim 22, wherein said means for attempting to continue the CIFS session ~~that the request was part of~~ further comprises a means for processing the remaining portion of the uncompleted request.

43-53. (canceled)